

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Allegation of corruption against Sri P.Yoganand, Municipal Commissioner(Retd), Narasaraopet Municipality - Trapped by ACB on 24.5.2005 – Convicted by the Trial Court in CC No.14/2007 – Imposing of “withholding 100% of pension permanently and also withholding Gratuity” – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.IV.1)DEPARTMENT

G.O.Ms.No. **294**

Dated: 28-07-2011

Read the following:

1. From the DSP,ACB, Vijayawada Range Camp, Guntur Message dated 25.5.2005.
2. G.O.Rt.No.807, MA&UD(Vig.IV.1)Department, dated 30.5.2005.
3. From the DG,ACB, Letter.No.103/RCT-VGT/2005, dated 17.12.2005
4. G.O.MS.No.500, MA&UD(Vig.IV.1)Department, dated 25.9.2006.
5. Judgment dated 8.3.2010 of the Court of Spl. Judge for SPE & ACB Cases, Vijayawada forwarded by the DG,ACB, Hyderabad in Letter No.103/RCT-VGT/2005-S17, dated 29.3.2010.
6. Govt. Memo No.11573/Vig.IV.1/2005-3, dated 20.7.2010.
7. From Sri P.Yoganad, Municipal Commissioner(Retd)., representation dated 7.7.2011.

O R D E R:-

Whereas, in the reference 1st read above, a case was registered by the Anti Corruption Bureau, against Sri P.Yoganand, former Municipal Commissioner, Narasaraopet Municipality and he was trapped on 24.5.2005 for demanding and accepting a bribe amount of Rs.10,000/- as illegal gratification from the complainant for doing official favour.

2. And whereas in the reference 2nd read above, Sri P.Yoganand was placed under suspension on the allegation of corruption. Subsequently he was reinstated into service vide G.O.Rt.No.1391, MA&D(Vig.IV)Dept., dated 22.11.2007.

3. Whereas, in the reference 3rd read above, the Director General, Anti Corruption Bureau, A.P. Hyderabad has furnished the final report in the case and recommended for according sanction for prosecution of the Accused Officer Sri P.Yoganand, Municipal Commissioner, Narasaraopet Municipality.

4. Whereas, in the reference 4th read above, Government after examining the said final report have accorded sanction for prosecution of Sri P.Yoganand, former Municipal Commissioner, Narasaraopet Municipality in the Court of Law. Accordingly a case in CC No.14/2007 was filed by the ACB court of Special Judge for SPE & ACB Cases, Vijayawada against the Accused Officer. Subsequently Sri P.Yoganand was retired from 30.4.2008.

5. Whereas, in the reference 5th read above, the Director General, Anti Corruption Bureau, Hyderabad has informed that the Special Judge for SPE & ACB Cases, Vijayawada pronounced Judgment on 8.3.2010 in CC No.14/2007, convicting Sri P.Yoganand, former Municipal Commissioner, Narasaraopet Municipality (now retired), and sentenced him to undergo rigorous imprisonment for a period of six (6) months and to pay a fine of Rs.2,000/- in a default to suffer simple imprisonment for two (2) months for offense under section 7 of the Prevention of Corruption Act, 1988 and also sentenced him to undergo rigorous imprisonment for one (1) year and also to pay a fine of Rs.3,000/- in a default to suffer simple imprisonment for three (3) months for the offense punishable under section 13 (1) (d) r/w Section 13 (2) of Prevention of Corruption Act, 1988 and both sentenced shall run concurrently.

(P.T.O.)

6. Whereas, the Government after careful examination of the matter and keeping in view of the Conviction of the Accused Officer (retired), have provisionally decided to impose punishment of 100% cut in pension permanently against Sri P.Yoganand, Municipal Commissioner(Retd) and also withhold the Gratuity in full, in terms of Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, in the reference 6th read above, a Show Cause Notice was issued to Sri P.Yoganand, Municipal Commissioner(Retd), Narasaraopet Municipality calling for his explanation as to why the proposed punishment mentioned above shall not be imposed.

7. In the reference 7th read above Sri P.Yoganand, Municipal Commissioner(Retd) has submitted a representation to the Show Cause Notice issued to him wherein he stating among others that to continue his pension till finalization of the Criminal Appeal No.435/2010 filed by him before the Hon'ble High Court and the DCRG may be kept pending. Government after careful examination of the matter, having not satisfied with the written representation of the individual and decided to confirm the above said punishment on the individual since he was convicted by the Trial Court.

8. Now, therefore, Government hereby impose a punishment of 100% cut in pension permanently on Sri P.Yoganand, Municipal Commissioner(Retd), Narasaraopet Municipality and also withholding the Gratuity of the individual, in terms of Rule 9(1) of A.P. Revised Pension Rules, 1980, since he was convicted by the Special Judge for SPE & ACB Cases, Vijayawada vide Judgment dated 8.3.2010 in CC No.14/2007.

9. The Commissioner and Director of Municipal Administration, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P.Yoganand, Municipal Commissioner(Retired), Narasaraopet Municipality through Commissioner and Director of Municipal Administration, Hyderabad.

Copy to:

The Commissioner and Director of Municipal Administration, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary, A.P. Vigilance Commission, Hyderabad

The Accountant General, A.P. Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER